

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

GALP SIERRA VISTA, L.P., a
Washington limited partnership; et al.,

Plaintiffs,

v.

RSUI INDEMNITY COMPANY, a New
Hampshire corporation,

Defendant.

CASE NO. C10-5647BHS

ORDER GRANTING EQUITY
FUNDING LLC'S MOTION
TO INTERVENE

This matter comes before the Court on Equity Funding LLC's ("Equity") motion to intervene (Dkt. 15). The Court has reviewed the briefs filed in support of the motion and the remainder of the file and hereby grants the motion for the reasons stated herein.

I. PROCEDURAL HISTORY

On September 9, 2010, Plaintiffs Galp Sierra Vista L.P., Wentwood Baytown L.P., and Wentwood Rollingbrook L.P. ("Rollingbrook") filed a complaint against Defendant RSUI Indemnity Company alleging breach of contract. Dkt. 1.

On April 28, 2011, Equity filed a motion to intervene. Dkt. 15. No response or objection was filed by a named party in this action. On May 10, 2011, Equity filed a reply. Dkt. 17.

II. DISCUSSION


As an initial matter, failure "to file papers in opposition to a motion . . . may be considered by the court as an admission that the motion has merit." Local Civil Rule 7(b)(2). None of the named parties filed an opposition to Equity's motion. Therefore, the Court considers this an admission that Equity's motion has merit.

1 With regard to the motion, Equity asserts that it is the “true party in interest with
2 respect to [Rollingbrook’s] apartment complex” as referenced in the complaint. Dkt. 15.
3 Based on Equity’s brief and the attachments thereto, the Court agrees.

4 **III. ORDER**

5 Therefore, it is hereby **ORDERED** that Equity’s motion to intervene (Dkt. 15) is
6 **GRANTED.**

7 DATED this 6th day of June, 2011.

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10 **BENJAMIN H. SETTLE**
11 United States District Judge
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